

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

L. Parks  
12-3-02  
#8/Sup 1.  
IDS

In re Application of: )  
Talsih et al. ) Group Art Unit: 3736  
Serial No.: 09/925,193 ) Examiner:  
Filed: August 9, 2001 )  
For: METHOD AND MEANS FOR )  
CONTORLLING ACOUSTIC MODES )  
IN TISSUE HEALING APPLICATIONS)

Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket No. 41482/253466  
Date: November 20 2002

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

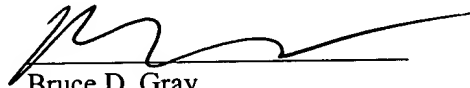
Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants identify the documents listed on the PTO/SB/08A accompanying this submission. Copies of the listed documents are enclosed.

Remarks

Applicants do not concede that the identified materials constitute prior art within the meaning of the United States patent laws.

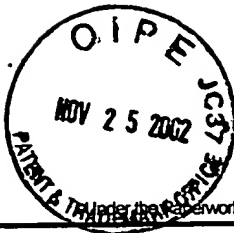
Applicants file this paper pursuant to 37 C.F.R. 1.97(b)(3), before the mailing of a first Office action and, therefore, believes that no fee is due in connection with this filing. However, the Commissioner is authorized to debit Deposit Account No. 11-0855 for any such fee due should Applicant's belief be mistaken.

Respectfully submitted,

  
Bruce D. Gray  
Reg. No. 35,799

ATTORNEY FOR ASSIGNEE

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

### Complete if Known

Application Number	09/925,193
Filing Date	August 9, 2001
First Named Inventor	Talish et al.
Group Art Unit	3736
Examiner Name	
Attorney Docket Number	41482-253466

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Pethica, B.A., et al., Abstract, Biological Repair and Growth Society, June 1998.	
		Goodship, et al., "Low magnitude high frequency mechanical stimulation of endochondral bone repair" 43 <sup>rd</sup> Annual Meeting Orthopaedic Research Society, vol. 22, Sec. 1, Feb. 9-13 (1997)	
		Y. Qin, et al., "Correlation of In Vivo Bone Adaptation and Mechanical Parameters Using Low Magnitude, High Frequency Loading," 41 <sup>st</sup> Annual Meeting Orthopaedic Research Soc., vol. 20 - Sec. 1, Feb. 13-16 (1995)	
		Grewe, et al., "Acoustic Properties of Particle Polymer Composite for Ultrasonic Transducer Backing Applications," <i>IEEE</i> , (1990)	
		Wu and Cubberly, "Measurement of Velocity and Attenuation of Shear Waves in Bovine Compact Bone Using Ultrasonic Spectroscopy," <i>Med. &amp; Biol.</i> , Vol. 23, No. 1, 129-134, 1997.	
		Pilla, et al., "Non-Invasive Low-Intensity Pulsed Ultrasound Accelerates Bone Healing in the Rabbit," <i>Journal of Orthopaedic Trauma</i> , Vol. 4, No. 3, pp. 246-253 (1990)	
		Bascom, "Other Continuous Fibers," 118/Constituent Material Form	
		Bascom, "Other Discontinuous Forms," 120/Constituent Material Forms	
		Niemczewski, B., "A Comparison of Ultrasonic Cavitation Intensity in Liquids," <i>Ultrasonics</i> , May 1980, pp. 107-110.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 1 of 2

### Complete if Known

Application Number	09/925,193
Filing Date	August 9, 2001
First Named Inventor	Talish, et al.
Group Art Unit	3736
Examiner Name	
Attorney Docket Number	41482-253466

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US- 4,476,847	10/16/84	Taenzer, et al.	
		US-5,181,512	01/26/93	Viebach, et al.	
		US-5,254,123	10/19/93	Bushéy	
		US- 5,307,284	04/26/94	Brunfeldt, et al.	
		US- 5,424,550	06/13/95	Kawano, et al.	
		US- 5,626,630	05/06/97	Markowitz, et al.	
		US-5,899,425	05/04/99	Corey Jr., et al.	
		US-6,022,349	02/08/00	McLeod, et al.	
		US-6,068,596	05/30/00	Weth, et al.	
		US-6,179,797	01/30/01	Brotz	
		US-6,261,221	07/17/01	Tepper, et al.	
		US- 6,360,027	03/19/02	Hossack, et al.	

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### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 85/03449	08/15/85	Ben-Dov		
		DE 4111055 A1	10/10/91	Ronge jun.		
		DE 29811185 U1	10/01/98	Rhee		
		WO 00/03663 *	01/27/00	Hagenmeyer		
		AU 19950292	02/07/00	Hagenmeyer		
		WO 00/76406	12/21/00	Winder et al.		

\*For English version see related Australian Application No. 19950292

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<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of .

3736

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number 09/925,193

Filing Date August 9, 2001

First Named Inventor Winder et al.

Group Art Unit 3736

Examiner Name

Total Number of Pages in This Submission

Attorney Docket Number 41482/253466

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

-Form PTO/SB/08A (2 pages)

-27 Publications

-Return Receipt Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual nameBruce D. Gray, Reg. No. 35,799  
Kilpatrick Stockton LLP

Signature

Date

November 7<sup>th</sup>, 2002**CERTIFICATE OF MAILING**

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